

Date of Meeting: October 16, 2007

**BOARD OF SUPERVISORS
ACTION ITEM**

7.

SUBJECT: ZOAM 2006-0003, Zoning Ordinance Annual Review and ZOAM 2007-0001,
Water Lines in Very Steep Slopes

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

RECOMMENDATIONS:

Planning Commission:

On June 27, 2007, the Planning Commission voted to forward ZOAM 2006-0003 and ZOAM 2007-0001 to the Board of Supervisors with a recommendation of approval as revised by the Planning Commission through its June 27, 2007, work session (Motion passed: 6-0-3, Commissioners Doane, Hsu, and Volpe absent for the vote).

Staff:

Staff recommends adoption of the attached amendments (Attachment 4) along with the proposed definition for "Church, synagogue, temple or mosque" contained herein and acceptance of staff changes made to the draft as identified in the Errata Sheet (Attachment 2).

BACKGROUND:

On December 19, 2006 and April 17, 2007, the Board of Supervisors adopted resolutions of intent to amend the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance") to implement the recommendations made by the Zoning Ordinance Review Committee (ZORC) as transmitted to the Board on February 10, 2006. In addition, the Planning Commission adopted a resolution of intent to amend on April 30, 2007. In order to implement these resolutions, amendments to Articles 1 through 8 of the Zoning Ordinance are necessary. The Board held a Public Hearing on July 31, 2007, at which there were 44 speakers. The Public Hearing was followed up by two Committee of the Whole meetings held on September 12 and September 25, 2007 (see Summary Matrix, Attachment 3). At the conclusion of the meeting on September 25, the Board voted (6-0-3, Chairman York and Supervisors Clem and Tulloch absent for the vote) to forward applications ZOAM 2006-0003 and ZOAM 2007-0001 to the October 16, 2007, Board of Supervisors Business Meeting for consideration; and further that the Board of Supervisors discuss the continuation of a Zoning Ordinance Review Committee to regularly examine zoning ordinance issues for the annual review.

ISSUES:

- A. In response to a request of the Board at the September 25, 2007, Committee of the Whole meeting, the Zoning Ordinance Review Committee (ZORC) and staff have coordinated to provide the following definition of "Church, synagogue, temple or mosque":

Church, synagogue, temple or mosque: A structure or group of structures that is intended for regular gatherings of people to attend, participate in, or conduct religious services and other related activities and associated accessory uses. Associated accessory uses may include religious instruction classrooms, church offices, counseling programs, private school, youth programs, parking, child and adult day care facilities, summer camps, recreational facilities, caretaker's quarters, food bank, thrift shop, sale of religious items, and cemeteries.

- B. An Errata Sheet is contained in Attachment 2 that includes the amended definition of "Church, synagogue, temple or mosque" and several "clean up" items discovered by staff while preparing ZOAM 2006-0003 and 2007-0001 for action. Staff recommends these minor revisions be incorporated into the final document. Specifically, the Errata Sheet includes:

1. Definition for "Church, synagogue, temple or mosque."
2. Section 4-203, Clarifying that "Training Facility" will be a permitted use in the PD-CC(SC) and PD-CC(RC) zoning districts.
3. Deletion of Section 4-204(D)(2).
4. Section 4-407(G), Amending road access requirements in the PD-RDP zoning district.
5. Section 4-503(G)(5), Amending the criteria for office as a permitted use in the PD-IP zoning district to ensure that corner and through lots will have one front yard only.
6. Section 5-1406(E)(2), Deleting the requirement for a berm in the type 3 buffer yard adjoining any existing or planned arterial road.
7. Section 5-1414(B)(5), Amending section references as needed.

DRAFT MOTION(S):

1. I move that the Board of Supervisors approve the attached resolution adopting the proposed amendments identified as ZOAM 2006-0003, Zoning Ordinance Annual Review and ZOAM 2007-0001, Water Lines in Very Steep Slopes, as set forth in Attachment 4, including the changes shown in Attachment 2.

OR,

2. I move an alternate motion.

ATTACHMENTS:

1. Draft Resolution (p. A1—A2)
2. Errata Sheet (p. A3—A4)
3. Summary Matrix (p. A5—A16)
4. Proposed Text

DEPARTMENT CONTACTS:

Terrance D. Wharton, Director, Department of Building and Development
Melinda Artman, Zoning Administrator

PROJECT MANAGERS:

Marilee Seigfried, Deputy Zoning Administrator
Amy Lohr, Planner